



07/26/06 IAP6 Rec'd PCT/PTO 25 JUL 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: James Kenneth McAlpine

Application No: 10/556,716

Filed: November 10, 2005

For: WASTE OUTLET PLUG

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§  
§  
§

Atty. Docket No: M-0930.02

Examiner: To be assigned

Group Art Unit: 3751

RESPONSE TO NOTIFICATION OF INSUFFICIENT FEES

MAIL STOP MISSING PARTS  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

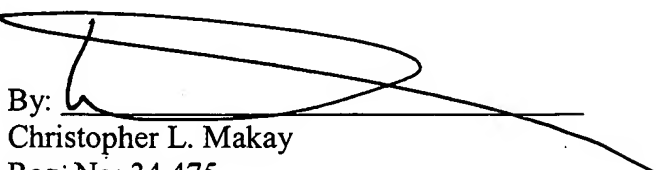
Sir:

Applicant presents this response to the Notification of Insufficient Fees dated June 2, 2006. Enclosed herewith is a copy of the Notice and a check in the amount of \$730.00 to cover the search fee, examination fee, and surcharge. In view of the payment of the foregoing fees, Applicant submits the referenced application is in condition for examination and such action is respectfully requested.

Respectfully submitted,

LAW OFFICES OF CHRISTOPHER L. MAKAY  
1634 Milam Building  
115 East Travis Street  
San Antonio, Texas 78205  
(210) 472-3535

DATE: 25 July 2006

By:   
Christopher L. Makay  
Reg. No: 34,475

ATTORNEY FOR APPLICANT

07/31/2006 MKAYPAGH 00000079 10556716

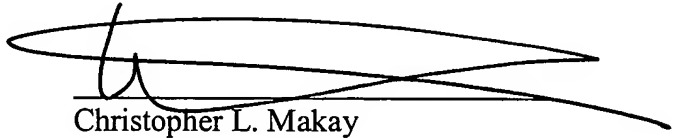
01 FC:1617	130.00 OP
02 FC:1642	400.00 OP
03 FC:1633	200.00 OP

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 C.F.R. §1.10 on the date indicated below, addressed to the Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Express Mail No.: EV 847630 448 US

Date: 25 July 2006

  
Christopher L. Makay



UNITED STATES PATENT AND TRADEMARK OFFICE

7-21-06  
PCT

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/518,988	Joseph Alexander Lasky	ON/4-32548A

INTERNATIONAL APPLICATION NO.

PCT/IB03/02794

I.A. FILING DATE

06/17/2003

PRIORITY DATE

06/28/2002

001095  
NOVARTIS  
CORPORATE INTELLECTUAL PROPERTY  
ONE HEALTH PLAZA 104/3  
EAST HANOVER, NJ 07936-1080

CONFIRMATION NO. 1365

371 FORMALITIES LETTER



\*OC000000017492849\*

Date Mailed: 11/21/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/21/2004
- Copy of the International Search Report filed on 12/21/2004
- Copy of IPE Report filed on 12/21/2004
- Preliminary Amendments filed on 12/21/2004
- Oath or Declaration filed on 12/21/2004
- Biochemical Sequence Listing filed on 12/21/2004
- U.S. Basic National Fees filed on 12/21/2004
- Priority Documents filed on 12/21/2004
- Specification filed on 12/21/2004
- Claims filed on 12/21/2004
- Abstracts filed on 12/21/2004

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- **\$130 Surcharge.**
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

**PART 2 - OFFICE COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/518,988	PCT/IB03/02794	ON/4-32548A



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/556,716	James Kenneth McAlpine	M-0930.02

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/GB04/02063

I.A. FILING DATE	PRIORITY DATE
05/14/2004	05/14/2003

41418  
 LAW OFFICES OF CHRISTOPHER L. MAKAY  
 1634 MILAM BUILDING  
 115 EAST TRAVIS STREET  
 SAN ANTONIO, TX 78205-1763

CONFIRMATION NO. 3308

371 FORMALITIES LETTER



\*OC000000019056213\*

Date Mailed: 06/02/2006

## Notification of Insufficient Fees (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 11/10/2005
- Copy of the International Search Report filed on 11/10/2005
- Preliminary Amendments filed on 11/10/2005
- Oath or Declaration filed on 02/21/2006
- Request for Immediate Examination filed on 11/10/2005
- U.S. Basic National Fees filed on 11/10/2005
- Assignment filed on 11/10/2005
- Priority Documents filed on 11/10/2005
- Power of Attorney filed on 02/21/2006
- Specification filed on 11/10/2005
- Claims filed on 11/10/2005
- Abstracts filed on 11/10/2005
- Drawings filed on 11/10/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$730** for a Large Entity:

- **\$130** Surcharge.

- The application search fee has not been paid. Applicant must submit **\$400** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- The application examination fee has not been paid. Applicant must submit **\$200** to complete the examination fee for a non-small entity. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/556,716	PCT/GB04/02063	M-0930.02

FORM PCT/DO/EO/923 (371 Formalities Notice)